THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION No.15764 of 2006

DATE: 31.07.2006

Between:

Hyderabad Race Club Staff and Workers Union,
Rep., by its General Secretary, D. Venkat Reddy,
Malakpet, Hyderabad.

... PETITIONER

AND

The Commissioner of Labour,
Government of A.P., Hyderabad,
& others.

... RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION No.15764 of 2006

ORDER:

Questioning the action of the 2nd respondent – Deputy Commissioner of Labour (Twin Cities)-cum-Deputy Registrar of Trade Union, in granting registration to the 3rd respondent – Hyderabad Race Club Part Time Employees Union, vide certificate dated 26.05.2006 the petitioner filed the present writ petition.

The petitioner – Hyderabad Race Club Staff and Workers Union is registered as a union under the provisions of the Trade Unions Act, 1926 with Registration No.2218-B and is affiliated to INTUC. The members of the union are casual workers.

The petitioner claims that it is the only union that is operating in the 4th respondent club and alleges that certain members who are inimical to it with an intention to divide the employees, have registered themselves as Hyderabad Race Club Part Time Employees Union and registered themselves with the 2nd respondent vide proceedings dated 26.5.2006. The petitioner herein contends that the 3rd respondent is not having requisite members, and is not entitled for registration. It is alleged that the 2nd respondent without considering the factual aspects, illegally issued the proceedings dated 26.5.2006.

It is also stated that the petitioner submitted a representation dated

22.6.2006 to the

1st respondent and another representation dated 07.06.2006 to the 2nd respondent indicating the factual details and requesting to cancel the registration issued to the 3rd respondent, but no action is taken thereon. Hence, the present writ petition.

Learned counsel for petitioner submits that to defeat the union activities, under the influence of certain vested interests, the 3rd respondent union was formed, and even though there is no requisite member strength, the 2nd respondent has granted registration to the 3rd respondent. It is further stated that though the petitioner submitted representation to the 1st and 2nd respondents against the grant of cancellation to the 3rd respondent, no action thereon had been taken so far. Hence, he seeks appropriate directions.

Heard the learned counsel for the petitioner and the learned Government Pleader of Labour.

The grievance of the petitioner is that the 3rd respondent union does not have the requisite member strength to be registered as a union, but yet the 2nd respondent granted registration to the 3rd respondent, and that though he submitted representation to the 1st and 2nd respondents for cancellation of the registration granted to the 3rd respondent, no action has been taken. I fail to understand as to how the interests of the petitioner would be affected by the registration of the 3rd respondent as a union. Be that as it may, as it is the case of the petitioner that despite non-existence of the required member strength that is required for formation of a union, the 2nd respondent has registered the 3rd respondent as a union, and having regard to the fact that the representation dated 07.06.2006 and 22.06.2006 made by the

petitioner assailing the grant of registration to the 3rd respondent by the 2nd respondent, is pending before the 1st and 2nd respondents, I deem it appropriate to dispose of the writ petition with the following directions:

The 1st and 2nd respondents are directed to consider and dispose of the representation dated 07.06.2006 and 22.06.2006 of the petitioner in accordance with law, and pass appropriate orders thereon.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J

Date: 31.07.2006
ES/GRK